

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred House Bill No. 1169, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 16-41-1-4 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2008]: **Sec. 4. The state department may adopt rules concerning:**
- 6 **(1) sanitation requirements;**
- 7 **(2) requirements for education on sanitation; and**
- 8 **(3) any other health concerns;**
- 9 **associated with threading (as defined in IC 25-8-2-19).**
- 10 Page 1, delete lines 10 through 17.
- 11 Delete page 2.
- 12 Page 3, delete lines 1 through 11, begin a new paragraph and insert:
- 13 "SECTION 3. IC 25-8-2-5, AS AMENDED BY P.L.157-2006,
- 14 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2008]: **Sec. 5. (a) "Cosmetology"** means performing any of the
- 16 following acts on the head, face, neck, shoulders, torso, arms, hands,
- 17 legs, or feet of a person:
- 18 **(1) Cutting, trimming, styling, arranging, dressing, curling,**
- 19 **waving, permanent waving, cleansing, bleaching, tinting,**
- 20 **coloring, or similarly treating hair.**
- 21 **(2) Applying oils, creams, antiseptics, clays, lotions, or other**

preparations to massage, cleanse, stimulate, manipulate, exercise,
or beautify.

(3) Arching eyebrows.

(4) Using depilatories.

(5) Manicuring and pedicuring.

(b) "Cosmetology" does not include performing any of the acts
described in subsection (a):

(1) in treating illness or disease;

(2) as a student in a cosmetology school that complies with the
notice requirements set forth in IC 25-8-5-6;

(3) in performing shampooing operations; or

(4) without compensation.

**(c) "Cosmetology" does not include performing the act of
threading.**

SECTION 4. IC 25-8-2-9.5 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 9.5. (a) "Esthetician"
means a person who engages solely in one (1) or more of the following
practices:

(1) Giving facials, applying makeup, and giving skin care.

(2) Beautifying, massaging, or cleaning the body with the use of
cosmetic preparations, antiseptics, tonics, lotions, or creams.

(3) Removing superfluous hair from the body by the use of
depilatories, waxing, or tweezers.

(b) The term does not include performing any of the acts described
in subsection (a):

(1) in treating an illness or a disease;

(2) as a student in a cosmetology school that complies with the
notice requirements under IC 25-8-5-6;

(3) without compensation; or

(4) incident to the retail sale of cosmetics.

(c) The term does not include a person who:

(1) engages in threading; and

**(2) does not engage in one (1) or more of the practices
described in subsection (a)."**

Page 3, delete lines 19 through 42.

Page 4, delete lines 1 through 13.

Page 4, delete lines 34 through 35, begin a new paragraph and
insert:

- 1 "SECTION 7. THE FOLLOWING ARE REPEALED [EFFECTIVE
- 2 JULY 1, 2008]: IC 25-8-2-3.5; IC 25-8-2-5.5".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1169 as printed January 25, 2008.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Riegsecker, Chairperson